

m-f



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,835	04/02/2004	Akira Ohmura	101985.03	8850

25944 7590 07/31/2006

OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
----------	--------------

2621

DATE MAILED: 07/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/815,835

Applicant(s)

OHMURA ET AL.

Examiner

Vincent F. Boccio

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE & Amendment 7/6/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/184,329.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2621

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2621.

Response to Arguments

1. Applicant's arguments filed 7/6/06 have been fully considered but they are not persuasive.

{A} In re page 4 applicant states, Ogawa does not teach or suggest, "the claimed selector, which selects a plurality of image data to be printed by the printer."

The examiner fails to agree, by the user selecting to prepare and print the, "sample image table", based on Fig. 5, has actually selected a plurality of images, in accord to Fig. 5, wherein the information col. 6, lines 58-68, "list of file names is displayed", which reads on wherein the display displays printing information which shows that the plurality of image data is selected are printed as one sheets for two or more images per sheet, as claimed.

Further when more than one sample tables is stored thereafter the user can choose from the sample files and can be printed, col. 7, by using a name or ID.

It is noted that the claims recite, that the plurality of image data selected by the user operable selector but, does not claim, wherein each of the images of the plural (two or more), wherein each image is individually selected by the user, to be printed on one sheet.

It is noted that in Ogawa a user select to create and print a sample image table having multiple images in it, in accord to Fig. 5, deemed met by a single user entry/selection for a sample table but selects a plurality of images with the selection of printing the sample image sheet.

Art Unit: 2621

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. (US 6,603,506).

The examiner incorporates by reference the last action against the claims 11-12.

Regarding claim 11 as amended further recites,

- an interface that transfers the image data to a printer (Fig. 1, interface (I/F) Units 10 K & 11 e, camera 10 and printer 11);
- a user operable selector (10 i), which the user selects a plurality of image data (col. 4, lines 61-64, "selects to print a sample image table by using the use of I/F parts group 10 I", therefore, the user has selected a plurality of images based on Fig. 5), to be printed; and

Art Unit: 2621

- wherein the **display displays printing information** (col. 6, lines 61-, "sample image table ... each frame has a file name ... list of file names is displayed ... instead of displaying one frame video image at a time ..."),
- which shows that the plurality of image data selected by selecting to print a sample image sheet, when the user selected to print a sample image table having a plurality of images, the user has chosen a plurality of image data, thereafter can be printed, as two or more images data per sheet or as one image data per sheet (Fig. 5).

Regarding claim 13, Ogawa further anticipates an external printer (Fig. 1, camera 10 to external printer 11).

Contact Fax Information

Any response to this action should be faxed to:

(571) 273-8300, for communication as intended for entry,
this Central Fax Number as of 7/15/05

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent
7/24/06

Vincent F. Boccio
VINCENT BOCCIO
PRIMARY EXAMINER